

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JUAN LOZADA-LEONI

V.

**MONEYGRAM INTERNATIONAL,
INC., ET AL.**

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Civil Action No. 4:20CV68-RWS-CMC

ORDER

The Court issues the following *sua sponte*. Contemporaneously with this Order, the Court is entering an ex parte sealed Report and Recommendation regarding proposed findings of fact and recommendations on Intervenor Kardell Law Group’s Original Complaint for Attorney’s Fees (Docket Entry # 147) and Intervenor Kardell Law Group’s Amended Complaint for Attorney’s Fees (Docket Entry # 176). At this time, the Court has sealed the Report and Recommendation, even from Defendants.

A district court must use caution when exercising its discretion to place records under seal because there is a “strong presumption that all trial proceedings should be subject to scrutiny by the public.” *United States v. Holy Land Found. for Relief & Dev.*, 624 F.3d 685, 690 (5th Cir. 2010); *see also Federal Sav. & Loan Ins. Corp. v. Blain*, 808 F.2d 395, 399 (5th Cir. 1987) (“The district court’s discretion to seal the record of judicial proceedings is to be exercised charily”). Even where no party opposes sealing, the burden is on the movant to establish the presumption in favor of public records is overcome.

Given this presumption, the Court is of the opinion the Report and Recommendation should be unsealed. Before doing so, however, the Court will allow Plaintiff and Intervenor

fourteen days from the date of entry of this Order in which to submit a proposed publicly-available redacted version of the Report and Recommendation. The parties shall redact only those portions of the Report and Recommendation with respect to which Plaintiff and Intervenor have a legitimate and overriding interest in maintaining confidentiality and shall be prepared to submit a particularized showing regarding those redactions in the event the Court finds it necessary.

The parties shall advise the Court in writing if no redactions are necessary.

IT IS SO ORDERED.

SIGNED this 23rd day of June, 2021.


CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE